

METROPOLITAN TRANSPORTATION COMMISSION

Joseph P. Bort MetroCenter 101 Eighth Street Oakland, CA 94607-4700 TEL 510.817.5700 TDD/TTY 510.817.5769 FAX 510.817.5848 E-MAIL info@mtc.ca.gov WEB www.mtc.ca.gov

DATE: Dec. 3, 2010

Memorandum

TO: MTC Planning Committee, ABAG Administration

Committee and Joint Policy Committee

FR: Executive Director W.I.

RE: Final Draft MTC Public Participation Plan, MTC Resolution No. 3821, Revised

State and federal statutes require metropolitan planning organizations such as MTC to adopt participation plans to provide the public with opportunities to be involved in the transportation planning process. MTC's current Public Participation Plan was adopted in 2007. A draft 2010 update was released for an initial 45-day comment period in July. A revised draft was issued for a second 45-day comment period in October, with the close of comments on November 29.

The draft plan includes detail on how MTC and the Association of Bay Area Governments (ABAG) will involve the public in developing the Sustainable Communities Strategy. Attached to this memo are:

- Attachment 1 Summary of comments received on the Oct. 15, 2010 Revised Draft plan, along with responses
- Attachment 2 Written correspondence received on the Revised Draft Plan
- Attachment 3 Summary of comments received on the July 9, 2010 Draft plan, plus responses
- Attachment 4 Final Draft Public Participation Plan, incorporating changes based on comments received (MTC Resolution No. 3821, Revised).

Background

The development of the 2010 update to MTC's Public Participation Plan included an extensive outreach process for gathering public review. To inform the public, MTC utilized a post card mailing, email notifications and newspaper display ads, as well as presentations as noted below:

July 6, 2010	Presentation to Regional Advisory Working Group	
July 10, 2010	Initial Draft Released by MTC Legislation Committee for 45-	
	day comment period	
July 14, 2010	Presentation to MTC Policy Advisory Council	
September 20, 2010	Presentation to Partnership Technical Advisory Committee	
November 18, 2010	Presentation to ABAG Executive Board	

Key Comments Heard

Attachments 1 and 3 provide a summary of comments and responses to the initial draft and revised draft. In general, comments fell into these key themes:

Simplify and Demystify — Citing the complex nature of transportation and land-use planning, many who commented cited the importance of communicating in plain language and of crafting presentations so that a given community or audience can understand why it is important to participate. A number of comments called for more effort to avoid or minimize use of complex, technical terms and planning jargon, as well as provide better explanations of how the technical work is conducted.

Make the Process More Transparent — Another key comment was the need to identify key planning and decision milestones so that the public can understand when they should get involved in the process and provide input on key decisions. Specific to the Regional Transportation Plan and the Sustainable Communities Strategy, many asked that more details about process and schedule be included in the final plan. For example, we received comments that we needed to include detail on involvement of county Congestion Management Agencies, and clarify the process for developing SCS scenarios and evaluating equity impacts. A number of comments stressed the need to communicate to participants how their comments were considered in shaping final actions.

Involve More Bay Area Residents — A number of those submitting comments noted the importance of broadening outreach and public participation to include a wider range of participants, including those who have not traditionally been involved. Citing MTC's work with ABAG on a new Sustainable Communities Strategy, many observed how important it is to involve more people, including more outreach to local governments and local elected officials, schools, public health officers, low-income communities, and communities of color.

Build Relationships in Under-served Communities — Many noted the importance of taking the time to work with low-income communities and communities of color over the long term in order to build capacity and allow for more effective participation. Several comments from MTC's Policy Advisory Council and other advisors asked for "tool kits" so that individuals and organizations could work in concert with MTC and ABAG on public outreach for the Sustainable Communities Strategy.

More Electronic Access — A number of people who commented asked for expanded access to information via the web, and encouraged MTC to use social media to enable interactive online dialogue.

Recommendation

Staff requests that the Committee forward MTC Resolution No. 3821, Revised, to the Commission to adopt the final MTC Public Participation Plan.

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	Steve Heminger	

Attachment 1

Metropolitan Transportation Commission (MTC) Summary of Comments and Responses to Oct. 15, 2010 Revised Draft Public Participation Plan

COMMENTS	MTC RESPONSE
Please note these comments are summarized.	
See Attachment 2 for the complete comment.	
1. E-mail comment: (Steve Piasecki, Director of	
Community Development, City of Morgan Hill) Get the word out to the general public. "One Bay Area" billboards along critical freeway corridors and on public transportation systems. The message could be simple with some provocative question with a web site address and ABAG/MTC logos. I think the concept of planning for the entire bay area could have broad appeal to the general public, especially the commuting public and might help the political process if the general public is aware what is happening.	We anticipate conducting a comprehensive public outreach and involvement program. We will consider your suggestion within the constraints of our budget.
2. E-mail comment: (Bernardo Huerta, East Palo Alto) Use of non-English radio stations for MTC communications and feed back should be expressly included.	See edit to page 21 of the plan that specifically mentions use of non-English radio stations.
3. E-mail comment: (David Schonbrunn, TRANSDEF)	
TRANSDEF requests, as requested in the joint letter dated August 23, 2010, from 50 organizations or individuals representing social equity/environmental justice issues, detailed identification of the decisionmakers at each step in the process, and the process that will be used in reaching that decision.	See response to comment #6.
4. E-mail comment: (David Schonbrunn, TRANSDEF)	We could do ED
The production of a Public Alternative will ensure that there can be a free marketplace of ideas, and will help make the rest of this process more transparent to all stakeholders. The Final RTP would benefit from the ideas of non-profits in the form of a consensus Public	We agree that the EIR process must include a free exchange of ideas, and will seek such a dialogue as we develop and evaluate the detailed alternatives analysis for the SCS. We are looking into possible approaches for
Alternative, unmediated by MTC. TRANSDEF appreciates the consideration MTC has given to its proposal. However, we feel that the proposed modification, setting the process within the RAWG, misunderstands the process dynamics, and thus would	defining a public alternative. We agree that such an alternative should be part of the process, including input from a wide range of interest groups.

produce sub-optimal results. The involvement of the public agency representatives on RAWG would introduce a heavy dose of status quo thinking--the approach that already thoroughly permeates the RTP process.

Once there are products to look at, they should then be debated at the RAWG. Consensus-building and possible integration of Public Alternative elements would be entirely appropriate.

5. E-mail comment: (Connie Malloy of Urban Habitat and Carl Anthony of Breakthrough Communities)

These comments follow up on the detailed comments that fifty organizations submitted in August.

Start with the Needs: The critical starting point of the entire regional planning process is the identification and prioritization of the needs, both those of Environmental Justice communities and those of the region as a whole. The public needs to be informed of whether or when it will have the opportunity to participate in a decision about what the priorities will be for the expenditure of several hundred billion dollars over the life of the next Regional Transportation Plan. How will the needs that EJ communities have identified to MTC in a series of needs studies going back to the 1990s – most recently in the Lifeline and Community-Based Transportation Plans –be prioritized in the next RTP?

The Transit Sustainability Project should be utilized to assist in determining the true costs of operating our current transit system at its full capacity, as well as determining the capital and operating costs of each of MTC's Res. 3434 expansion projects.

The planning process will fail the entire region if it does not begin with a transparent and publicly accountable decision that sets priorities among our many needs. The Sustainable Communities Strategy is not a planning effort that will start from scratch, but rather one that builds upon the full body of land use and transportation planning and analyses developed over many years for the purpose of identifying and evaluating the region's access and mobility needs, as well as its housing and infrastructure needs. Examples of key documents that directly address needs and priorities have been listed in the Plan (seepage 46).

In developing the final SCS, MTC and ABAG will conduct extensive public outreach to gather *additional* input on transportation and housing needs, trade-offs and priorities. It is intended that the past planning work and the public input to be gathered will form the foundation of the SCS alternatives to be tested and ultimately the SCS itself.

6. E-mail comment: (Connie Malloy of Urban Habitat and Carl Anthony of Breakthrough Communities)

Get Specific About Key Decision Points:

The [process] timeline is useful in providing a general sense of the order in which decisions will be made. It is not helpful, however, in describing the nature of each of those decisions. For this, we suggest that a detailed legend be provided, something that explains for each decision point: what decision will be made at that point, why that decision is important, what is at stake in it, how it will affect future decisions, the anticipated timeframe, who the decision maker will be and what the process will

In order to make the process more transparent as it develops, we will post on the OneBayArea.org web site specific information on important SCS decision milestones or actions that are identified in the SCS process chart (see language added to the Plan, page 49). The type of information we will post will be similar to information used in the "sample legend" provided in the comment letter. We will convey this level of information in all presentations moving forward.

We have also revised the process charts included

be. A sample legend for the Performance Targets decision point is attached, in the hopes of more clearly conveying to you what we have been asking for. We request that this level of information be provided about each of the icons on the process timeline.

in Appendix A to indicate that such information will be available on the OneBayArea web site.

E-mail comment: (Connie Malloy of Urban Habitat and Carl Anthony of Breakthrough Communities)

Ensure Transparency in the CMAs:

MTC has the obligation to ensure that the CMAs have in place their own inclusive and transparent plans of public participation, and to ensure that those plans are carried out in practice. The Plan should acknowledge MTC's responsibility to monitor the CMAs to ensure that they comply with the Civil Rights Act, and how MTC will carry out that responsibility.

The Plan should inform the public of the nature of the decisions that the CMAs will make, and how MTC will incorporate those decisions into its planning process.

The Plan should explain how MTC and/or ABAG will provide guidelines that the CMAs can use to select projects that will be consistent with the region's vision for a Sustainable Communities Strategy.

CMAs have been asked to facilitate the county/corridor process to develop the Initial Vision Scenario with local governments, prior to release and public discussion. CMAs also will recommend candidate projects, in consultation with local governments, for inclusion in the SCS/RTP based on countywide plans, and those projects will be subject to a project performance assessment.

MTC is expecting that the CMA outreach efforts will comply with Title VI and we will work with the CMAs to support their efforts (e.g., assistance with translation services). (See page 55 of the Plan.)

8. E-mail comment: (Connie Malloy of Urban Habitat and Carl Anthony of Breakthrough Communities)

Describe the Development of Investment Alternatives:

The proposal of a project must come in response to the regional agency's identification of the needs that the public expects projects to meet, and MTC must ensure that all viable alternatives for meeting those needs are considered before one is selected. If a project alternative is available that will meet the need equally well at a much lower cost, we cannot afford to ignore that alternative. Nor can we afford to ignore alternatives that will meet a broader range of needs, including those of traditionally under-served communities.

The revised Plan does not describe how alternatives will be developed and evaluated, nor does it describe the public process in which the development and evaluation of alternatives will take place.

As noted in comment #6, we will provide additional information on project milestones on the OneBayArea.org web site.

9. E-mail comment: (Connie Malloy of Urban Habitat and Carl Anthony of Breakthrough Communities)

Evaluate the Equity Impacts of Each Alternative:

The Plan must specify the nature of the equity analysis and public process at each step of the analysis. The Plan

The equity analysis tasks have been added to the process charts in Appendix A. Detailed information will be posted on OneBayArea.org web site as it is developed. Comments related to the methodology will be considered when this

should also specify how the equity analysis at each juncture will be presented to decision-makers and the public so that everyone fully understands the implications of that analysis for the decision-making process. The detail should be included in the process charts.

The analyses of equity impacts must begin with a public scoping process, so that impacted EJ communities can identify the risks of inequity that they are most concerned with. We look forward to partnering with you as you design the public process to scope out the various equity analyses that are now part of the Plan.

Each project (including each "committed project") must be analyzed against project alternatives to compare their equity impacts before the best one is selected. The revised Plan remains silent with respect to the analysis of project alternatives, as discussed in our comment 4. We urge you to address these issues in the Plan. process gets underway.

10. E-mail comment: (Connie Malloy of Urban Habitat and Carl Anthony of Breakthrough Communities)

Demonstrate Explicit Consideration of Input:

Two points are very important about how MTC responds to comments from the public: <u>First</u>, MTC needs to responds to the crux of the comment. <u>Second</u>, the response needs to provide some rationale when recommendations are rejected.

MTC and ABAG will attempt to meet these objectives throughout the public participation process. We agree that we should be as clear as possible when responding to public comments, especially when recommendations are not accepted.

11. E-mail comment: (Shirley Johnson, PhD)

I request the following to demonstrate the effectiveness of your Public Participation Plan:

- 1. Describe the method used for collecting public input on the bike sharing program [a pilot project that recently received funds under MTC's competitive grant program as part of the Climate Initiatives Program].
- 2. List the public comments received.
- 3. Show responses to public comments.
- 4. Show how concerns of the public were addressed.

Some general questions:

- 1. What do you do if you don't receive public comments?
- 2. How do you determine whether you have received sufficient comments to proceed?
- 3. What are your methods for expanding your outreach, if you determine you have insufficient public comments?

While I support your efforts to create a Public Participation Plan, I am concerned that it is not being put into practice.

MTC is committed to a robust public participation program and welcomes active participation. The sequence of four steps you suggest is followed for all actions by MTC. The public can sign up to receive notifications of public involvement opportunities in the development of the new Sustainable Communities Strategy at OneBayArea.org. To receive general information about MTC, updates on committee meetings, etc., sign up at www.mtc.ca.gov.

MTC routinely receives multiple comments from the public on our major planning initiatives. As noted in the plan, we also frequently conduct statistically valid telephone polls of Bay Area residents to assess public opinion on a larger scale.

Staff has provided a separate response to Ms. Johnson regarding comments made on the bicycle sharing project.

12. E-mail comment: (Marion Taylor, President, League of Women Voters)

We are not entirely satisfied that our concerns for the clarity of MTC's public communications have been thoroughly addressed. We urge MTC to carefully and transparently implement its decision to rely on contracted reviewers of public documents to ensure clarity, and to consider enlisting reviewers from the affected communities which may be unfamiliar with MTC, its planning, and its practices, and who may have limited English language skills.

We are concerned that some important meetings at MTC are not available as audio play-backs. This audio feature is an effective way to advance public knowledge and participation on a wide scale. ... The meetings that apparently will not be available on audio include the important Regional Advisory Working Group and the Transit Sustainability Project Committees. Please make all of these proceedings available as audio files in a timely fashion.

We also urge you to be more attentive to proper notification and materials for the public.

We strive to communicate in a clear, compelling manner that encourages dialogue and interchange. We routinely contract with professional translations firms and seek guidance from partner agencies, from our advisory committee members and from community-based organizations (CBOs). On the SCS/RTP we intend to provide grants to CBOs to help us involve residents in low-income communities and communities of color (including residents with limited English proficiency).

MTC audiocasts via the web all the Commission meetings, all MTC committee meetings and recently began to audiocast meetings of our Policy Advisory Council. Additional meetings may be added, depending on staff resources. We fully comply with the Ralph M. Brown Act and post all required meeting agendas accordingly.

13. E-mail comment: (Pat Giorni, Burlingame)

For more than 5 years I have attended with regularity C/CAG, C/CAG BPAC, C/CAG CMEQ, SMCTA, SMCTA CAC, Caltrain/JPB, Caltrain/JPB CAC, Burlingame, San Mateo and Millbrae City Council meetings. In not one of those meetings did I hear that MTC was circulating the *Draft 2010 Public Participation Plan* or the *Revised Draft 2010 Public Participation Plan*. Since MTC and the SCS Regional Advisory Working Group have representation on many of those bodies, with the exception of the City Councils, I am somewhat shocked that those representatives did not inform about the *Plan* nor its comment period.

MTC is committed to a robust public participation program, and we welcome active participation. As you requested, we will add your name to MTC's database to receive notifications of public involvement opportunities.

The public can sign up to information about MTC at www.mtc.ca.gov, and at www.OneBayArea.org to keep abreast of development of the new Sustainable Communities Strategy

Ms. Giorni also mentioned a recent grant award to a bike share program; a response to those comments will be provided separately.

14. E-mail comment: (John Cunningham, Senior Transportation Planner, Contra Costa County)

Public libraries now have licensed material available for digital checkout, the County is requesting that MTC provide a similar service for reference material which is not in the public domain.

Concerning digital check out, such digital licensing services are beyond the resources of our small reference library.

We have not indicated which workshops satisfy the statutory requirements of SB 375; the entire process for formal meetings in each county will It would be helpful to either footnote the relevant text in Appendix A that meets the [state] statutory requirements for SCS public outreach, or indicate which workshops or informational meetings shown on the charts for the planning process are meant to comply with these public outreach requirements.

fully meet or exceed the requirements of SB 375.

15. E-mail comment: (Casey Allen, San Francisco)

I have a comment about getting more low income people to participate: provide food/snacks and child care at meetings.

When MTC holds public meetings that span traditional meal times, we do provide food or refreshments. We also seek to remove barriers to participation in low-income communities by offering child care or other support services. This information has been added to the Plan (see page 20).

16. – 19: E-mail comments:

(Similar comments came from: Michael Taketa-Graham, Novato; Jan Hamilton; Gary Hamilton; Pam Drew)

ABAG, MTC, and their related sister agencies have chosen to give power and voice to private interest groups, the largest metropolitan cities, and their own staff while ignoring the voices of the thousands of smaller cities across the state.

The PPP is so one-sided and dominated by extreme and radical views calling for a complete redistribution of populations and wealth while totally ignoring the wishes of the citizenry of entire counties. Marin County is one of those counties being disenfranchised by having their rights to fair and equal representation being stolen away from them by lobbyists representing non-profit and forprofit special interest groups.

The idea of using a "cookie cutter" approach to rebuilding communities along narrow transportation corridors under the guise of sustainability speaks to the influence of greed and money while ignoring the centuries old American right to self determination and equal representation.

By its very nature, the Bay Area engenders robust public participation and MTC is committed to obtaining input from all points of view. See Chapters 2 and 3 of the Plan for a description of ongoing public engagement, and see Appendix A for opportunities for public comment on the Sustainable Communities Strategy.

Attachment 3 Summary of Comments and Responses to MTC's July 9, 2010 Draft Public Participation Plan

COMMENTS	MTC RESPONSE
Please note these comments are summarized.	
See MTC's web site for the full comment.	
(http://www.mtc.ca.gov/get_involved/PPP_Written_Corre	
spondence-Combined3.pdf)	
1. E-mail comment: ("Big Wayne")	W 1 11 1D 4
Take notice of the 20% of homes in the SF bay area that	We have added Bay Area motorcycling organizations to our database and will notify
already own a motorcycle or scooter. Notice the 4% of	them of opportunities to become involved in
traffic that already IS a motorcycle or scooter.	transportation policy and investment discussions.
	transportation poncy and investment discussions.
Counting the 1,000,000 registered motorcycles/ scooters	
in CA. Consider if they were ridden every day, the effect	
would be similar to reducing traffic by 15%, increasing	
parking by 15%, reducing gasoline consumption by 15%!	
2. E-mail comment: (Howard Wong, SaveMuni.com)	
	The Revised Draft Public Participation Plan (the
Often contrary to the interests of diverse ethnic/cultural	Plan) lists specific techniques for involving low-
communities, large infrastructure projects stress economic	income communities and communities of color in
development, removal of "blight" and "progress", e.g.	planning and investment decisions (see page 21).
San Francisco's "redevelopment" of the Fillmore, Jazz	
Districts, Western Addition, Afro-American/Japanese-	Appendix A, specific to development of the SCS
American intact communities etc. The proposed Central	planning effort, states that ABAG and MTC will
Subway Project stresses connectivity to Caltrain and a	partner with and provide funding for community-
commuter market that does not currently exist. Combined with recent urgings for rezoning of Chinatown, the trend	based organizations in low-income communities
is cleargentrification and displacement. But public	and communities of color to assist in involving
agencies, such as the MTC, TA and MTA, have little	these communities in the planning process (see
concern for the cultural impacts. So, hopefully, the	page 59).
MTC's Public Participation Plan changes past outcomes-	See also responses to comments #21 42 46 and
protecting the communities it is intended to serve.	See also responses to comments #21, 43, 46 and 53.
protecting the communities it is intended to serve.	33.
3. E-mail comment: (John Cunningham,	
Senior Transportation Planner, Department of	Comment noted. While the Plan (see page 14,)
Conservation and Development, Contra Costa County)	does not identify specific technologies, MTC
, , , , , , , , , , , , , , , , , , ,	intends to make changes along the lines you
Electronic Access to Information: There is a wide range of	suggest.
online distribution/collaboration technologies now	
available and can greatly improve upon the current	
practice of making MTC meetings available only through	
RealPlayer audio. MTC should make use of alternate	
technologies to provide improved access to meetings	
which integrate relevant documents, enable interactivity	
including the use of OS-native software or web-based	
applications which don't require downloading proprietary	
software.	
4. E-mail comment: (John Cunningham,	MTC makes a good deal of information are 11-11
Senior Transportation Planner, Department of	MTC makes a good deal of information available

Conservation and Development, Contra Costa County)

Electronic Access to Information: MTC should provide planning material in formats that the public is already using in their daily lives in order to make them more accessible and meaningful. Information and geographic extent of projects and plans should be disseminated using existing/mainstream online mapping techniques in addition to MTC's FMS system.

online in formats readily accessible via normal browsers and Adobe Acrobat. All of our monthly committee and full Commission meeting packets are available online. The Maps and Data area of our website includes a Map Room with several dozen maps in PDF format as well as interactive maps. This material is constantly augmented and updated. We also highlight a "map of the month" in conjunction with the executive director's monthly report to the Commission.

MTC is in the process of incorporating additional interactivity into its mapping features in the coming months.

5. E-mail comment: (John Cunningham, Senior Transportation Planner, Department of Conservation and Development, Contra Costa County)

The MTC library should make public resource materials available for download and licensed material available for check out on digital readers.

The library makes public resource materials available for download by posting on the MTC website: http://www.mtc.ca.gov/library/pub.php and including URLs whenever available for all materials in our publicly available catalog http://slk060.liberty3.net/mtc/opac.htm. See page 14 of the Revised Draft PPP.

6. E-mail comment: (John Cunningham, Senior Transportation Planner, Department of Conservation and Development, Contra Costa County)

Please consider including school districts and county offices of education in the dissemination of planning material and requests for comment. Currently, schools are engaged when there is a "problem," as in when a safe routes to school grant becomes necessary. It is the county's belief that schools should be brought more completely in to the "planning fold" rather than in a reactionary fashion. This may be particularly critical in SCS planning as the benefits of compact development can be compromised by local educational agencies developing schools outside an SCS area and even outside urban limit lines or urban growth boundaries.

We will add school districts and county offices of education in our database and notify them as appropriate of opportunities to participate in transportation policy and investment decisions, including the Sustainable Communities Strategy (SCS). See page 55 of the Draft Plan, Appendix A.

7. E-mail comment: (Hangston Giles, San Leandro)
Long presentations, replete with unfiltered and often
irrelevant data...followed by highly restricted public
comments...is not public participation in any meaningful
sense of the word. To render your pp program even
marginally acceptable you should stop overwhelming
your commissioners with minutia...to the point where
they have little choice but to blindly follow the dictates of
the MTC staff

We will continue to make every effort to use plain language and avoid technical jargon. Guiding Principle #4 (page 2) in MTC's Draft Plan states "Engaging interested persons in 'regional' transportation issues is challenging, yet possible, by making it relevant, removing barriers to participation, and saying it simply." Strategy 2 (page 2) states "...we recognize that one should not need to be a transportation professional to understand our written and oral communications. In this spirit we ... strive to communicate in plain language." See also response to comment #29.

8. E-mail comment: (Hangston Giles, San Leandro) Mix your commissioners in with informed members of the public....who are in fact their counterparts, not as you current assume, merely a pestilent horde to be tolerated.

The Plan lists opportunities for providing public input directly to policy board members. (See page 18)

9. E-mail comment: (Hangston Giles, San Leandro) Insist that your Executive Director come off his dais from time to time as required to engage the Bay Area residents he purports to represent

The Plan includes provisions for making customized presentations to existing organizations and groups. (See page 18).

10. E-mail comment: (Hangston Giles, San Leandro) Stop applying an arbitrary 2 minute cut-off to all public participants. Some people really do have useful ideas to add. At the same time, stop being so polite when people start spouting nonsense.

At times it is necessary to impose a time limit on public comments in order to allow all attendees the opportunity to speak. (See page 10)

11. E-mail comment: (Steve Ly, Los Altos)

The MTC's Draft 2010 Public Participation Plan is a 76-page pdf file full of recommendations that are supposed to increase public participation. Unfortunately, the single most action that MTC could take to improve public participation does not appear in the document. The document points out that "MTC encourages interested persons to attend MTC Commission and standing committee meetings to express their views. Items on the Commission agenda usually come in the form of recommendations from MTC's standing committees. Much of the detailed work of MTC is done at the committee level, and the Commission encourages the public to participate at this stage, either in person or by tracking developments via the web."

Unfortunately, a quick look at the MTC website indicates that these meetings are scheduled during the business day, when most members of the public are at work. For example, in the attached schedule from September 2010, there are 13 meetings scheduled, all of which take place during working hours. This in not conducive to public participation, and makes a mockery of the statement quoted above. If MTC intends to honor the stated goal of encouraging the public to "participate at this stage," it will need to schedule the commission and committee meetings at a time that is convenient to members of the public.

The Plan states that all of our meetings are audiocast live via the web (see chart page 12, Access to MTC Meetings) to allow interested residents to monitor Commission actions. The audiocasts are archived to allow people to listen when convenient. For major updates to the longrange transportation plan, MTC schedules meetings to hear public comment at times convenient to a particular community, which is frequently in the evenings (see page 13). We also recognize that many residents will likely never attend a meeting, and therefore we conduct statistically valid surveys to measure the opinions of the general public (see Chapter III, Public Participation Techniques). MTC also posts online content asking questions that mirror questions asked in meetings, or conducts focus groups or intercept interviews out in the community.

MTC's web site provides a direct e-mail link (info@mtc.ca.gov) to MTC's Public Information Department, though which members of the public can easily send written comments.

12. Letter: (Cheryl O'Connor, Acting CEO, Building Industry Association, Bay Area)

The outreach for public input must be thorough, deep and substantial...What about the silent majority of Bay Area residents? The outreach and feedback needs to be done with a far reaching survey, questionnaire, poll and focus groups. Public meetings and hearings draw the same

MTC uses a variety of techniques to involve the general public, including those who might not otherwise participate. Specifically, MTC uses statistically valid telephone polls of residents and focus groups to measure public opinion; such activities are listed in Chapter III as suggested public participation techniques.

crowd over and over with the same spin. Most residents don't have time to come to a meeting. Please collect as much information as possible through surveys and polling	
and do not rely on public hearings and "targeted" groups.	
13. Letter: (Cheryl O'Connor, Acting CEO, Building Industry Association, Bay Area) I also serve on MTC's Policy Advisory Council. This Council was intended to advise on transportation policies in the Bay Area, incorporating diverse perspectives relating to the environment, the economy and social equity. My experience with the Council to date is discouraging in that they do not represent a broad opinion base nor are they knowledgeable enough to even comment on many of these complex and confusing issues To ask 27 people to represent the interests of 7,000,000 Bay Area residents seems to be an unfair sampling at best.	MTC's Policy Advisory Council is not intended to directly represent interests of all Bay Area residents. The Council was created to bring a range of interests to a single table to offer the Commission policy advice. (See page 8)
14. Letter: (from Cheryl O'Connor, Acting CEO, Building Industry Association, Bay Area)	See response to comment #7.
The outcomes and impacts of the RTP must be described simply so every Bay Area resident fully understands how it will impact them personally.	
15. Letter: (from Cheryl O'Connor, Acting CEO, Building Industry Association, Bay Area)The other important note is that 30% of Bay Area residents are foreign born and surveys must be done in Chinese and Spanish.	For major planning efforts (such as the Regional Transportation Plan and Sustainable Communities Strategy), MTC routinely conducts its polling in English, Spanish and Cantonese.
16. Letter: (from Cheryl O'Connor, Acting CEO, Building Industry Association, Bay Area)	See response to comment #12.
It is critically important to truly understand what residents will and won't do, particularly when the philosophy is that we are doing what is right for them and they will agree to it. People have more choices on where they live now more than ever.	
17. Letter: (from Cheryl O'Connor, Acting CEO, Building Industry Association, Bay Area) It is critically important to consider current economic conditions when undertaking public participation.	The Regional Advisory Working Group and MTC's Policy Advisory Council include representatives from the business community.
18. E-mail comment: (David Schonbrunn, Transportation Solutions Defense and Education Fund) The number one problem in public participation is the disconnect between the input received from the public	When developing alternatives for evaluation in the program Environmental Impact Report (EIR) for the SCS/RTP, MTC will hold public scoping meetings to solicit public input on environmental

and the creation of alternatives to be studied in the environmental review of the RTP. This disconnect results from the insertion of MTC staff between the public's input and the creation of alternatives, which results in the policy preferences expressed by the public being filtered and distorted.

The solution ... offer a charrette process to the non-profits that have been involved in past RTPs. Those groups would self-organize into teams ... develop their own consensus goals, objectives and policies, leading to a project list that would become the (or one of the) public RTP alternatives.

... The alternative(s) would not necessarily represent the wishes of all Bay Area residents. ... The purpose of this proposed process is to translate the suggestions from the most informed members of the public directly into an RTP alternative.

issues, including alternatives. In addition, MTC is considering the idea of conducting a planning charrette with the Regional Advisory Working Group (RAWG) — which includes substantial participation from Bay Area nonprofit groups and others — to develop an alternative for potential consideration in the EIR.

19. E-mail comment: (Robert Raburn, PhD, Oakland)

Flawed Commission Structure: The grandfathered structure of the 19-member commission fails to include transit representation from BART and AC Transit elected bodies. Federal law changed the requirements for the composition of MPOs to include transit operators. ... MTC's Policy Advisory Council should review the federal regs for MPO composition and gather examples of compliance from other MPOs and then make a recommendation to the Commission.

MTC's governing board is established in accordance with state law (Government Code Section 66500 et seq.). The federal law to which you refer does not apply to MTC.

20. E-mail comment: (Robert Raburn, PhD, Oakland)

Meaningful Public Involvement: Public committees must have a voice. ... The MTC can readily provide public committees with a recurring item on the agenda to offer committee reports during the full commission meetings. Meeting minutes of public oversight committees should also be included in the meeting agendas.

MTC's Policy Advisory council was created to provide policy advice to the Commission. The Council's chair reports on Council actions and recommendations through regular reports at Commission meetings. The Council's monthly minutes are part of the Commission meeting packet each month. Other members of the public, including representatives of partner agencies or members of ad-hoc advisory committees are always welcome to provide input on a specific agenda item or under the public comment portion of the agenda.

21. E-mail comment: (Robert Raburn, PhD, Oakland)

<u>Title VI Compliance</u>: The sections (of the PPP) that discuss the Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP) need to identify the processes that MTC proposes to follow to certify compliance with Title VI.

MTC will conduct an equity analysis on Regional Transportation Plan (RTP) investments to evaluate the distribution of benefits and burdens associated with transportation investments. Further, for the 2011 Transportation Improvement Program (TIP), MTC prepared an

investment analysis focused on low-income communities and communities of color. The investment analysis methodology will be refined in future TIPs. We have added appropriate language to the Revised Plan to reference this (see Chapter IV). MTC's Title VI Report to the U.S. Department of Transportation identifies other efforts.

We also work to involve low-income communities and communities of color throughout the development of the long-range transportation plan (and the Sustainable Communities Strategy).

Also see response to Comment 43.

22. Letter: (John Young, Executive Director, Grassroots Leadership Network of Marin)

The grant amount provided to community non-profit organizations should reflect the real and current costs of engagement efforts based on the living wage of the county where the activities will be implemented.

MTC will continue to provide grants to community-based organizations for assistance in tailoring meetings to engage low-income residents and communities of color on key planning efforts. The grant amounts will take into account the real cost of meetings, outreach, etc.

23. Letter: (John Young, Executive Director, Grassroots Leadership Network of Marin)

The engagement of residents in the planning process should be followed by periodic communication about the progress and implementation of the plan created. This would increase participants' satisfaction and facilitate their continued engagement in future processes.

The Draft PPP articulates MTC's commitment to inform participants on how public meetings and comments have contributed to key decisions and actions (see page 21). As part of the public participation effort for the SCS/RTP, MTC and ABAG intend to use the web, email updates and newsletters to report progress on the planning effort. (See page 62)

24. E-mail comment: (John Sighamony, CMA Planning, Santa Clara Valley Transportation Authority)

- 1. Explain these complex issues in terms that everyone can understand. There should be an effort to reach out to local governments in ample time to distribute information to elected officials and other interested parties. The material being presented is very complex and the more educated the intended audience is, the better comments that this process will receive.
- 2. Use existing meeting structures already in place at each county, such as VTA board and committee meetings.
- 3. VTA supports countywide meetings; corridor working groups may be troublesome since many of the groups that VTA works with go beyond county lines and there may be conflict. The process will move smoothly if each county is dealt with as separate entities when discussing issues such as RHNA.

We agree it is important to reach out to local governments early in the SCS planning effort. ABAG and MTC are coordinating meetings in each county with county Congestion Management Agencies (CMAs) and elected officials who serve on the four regional boards and their staffs to map out a process within each county to partner with and actively engage elected officials, city managers, planning directors, CMAs, transit agencies and stakeholder organizations in the development of the SCS. Specific information about each county process will be posted on the OneBayArea web site. (See page 47)

25. Letter: (Greg Greenway, Executive Director,

Threshold 2008) Engage the general public in addition to stakeholders. Reach beyond the established and easily recognizable stakeholders. The participation target of 3,000 individuals will allow for a successful plan even with out engagement of the general public.	See response to Comment 12. Also, we have increased the participation target to actively involve at least 6,000 individuals.
26. Letter: (Greg Greenway, Executive Director, Threshold 2008)	See response to comment 24.
Design the participation strategy with implementation in mind. Improve the capacity of local governments to keep residents engaged during the implementation of the SCS, to give the SCS the best possible chance to achieve goals.	
27. Letter: (Greg Greenway, Executive Director, Threshold 2008)	See response to comment 24.
Work closely with local governments to engage communities locally. For the SCS to succeed, the regional agencies must work closely with local governments to reach as deeply as possible into local communities during the SCS adoption phase, and they should provide local governments with tools, resources and guidance to continue to engage their communities throughout the implementation phase. Advocate for state funding to support this approach.	
28. Letter: (Greg Greenway, Executive Director, Threshold 2008) Broaden the techniques used to engage the public. Include techniques that involve dialogue among members of the public, and that give people choices about different growth scenarios.	The Plan lists a wide range of strategies for involving the public (Chapter 3 and Appendix A, page 55).
 29. Letter: (Marion Taylor, President, League of Women Voters of the Bay Area) First: Strive to communicate in plain language. Enlist the services of a writer from outside the transportation field and find people in the target communities to read the drafts to ensure they are understandable. 	Use of outside reviewers on documents intended for general audiences has been added as a technique in the Plan. (See page 18)
30. Letter: (Marion Taylor, President, League of Women Voters of the Bay Area)	Comment noted.
Second: Explain the basics Lay bare the nuts and bolts of transportation planning. Tell people why they should care.	
31. Letter: (Marion Taylor, President, League of Women	

Voters of the Bay Area)

Third: Gain and maintain the trust of participants. We urge that the Plan be modified as follows:

- a) Avoid generalizations such as the statement that "minor revisions" to the RTP or TIP, or "technical revisions without significant impact on the cost, scope, or schedule of a project" can be made administratively. The extent of "minor revisions" and the meaning of "significant impact" must be made clear to avoid misunderstandings. MTC should describe, quantitatively and qualitatively, the extent to which revisions are to be considered minor and where exceptions are to be allowed.
- b) Opportunities for participation in decisions made at the CMAs will be important to building trust. How will the work of the CMA be incorporated into the Plan for Public Participation, since it is such an integral part of the regional process?
- c) MTC should make clear when, how, and how often the community will be asked for their input. The Plan specifies "key decision points," but does not define these points. It is important that community participants know that they will have opportunities to weigh in on the important decisions that will make a difference to them.
- **32. Letter:** (Marion Taylor, President, League of Women Voters of the Bay Area)

Fourth: Listen, as well as speak, to participants. MTC staff and Commissioners need to learn from, as well as inform, the communities of their constituents. Participants need to feel that decision-makers hear, understand and prioritize their needs. Discussions and surveys are important tools to achieve this. MTC should document what it hears.

33. Letter: (Marion Taylor, President, League of Women Voters of the Bay Area)

Fifth (a): Emphasize outcomes and evaluations. A method is needed to respond to oral comments, not just written comments. Responses should state why a suggestion is accepted or rejected, and not just provide a "thank you."

34. Letter: (Marion Taylor, President, League of Women Voters of the Bay Area)

- a) The definition for administrative modifications used in the Plan comes from the U. S. Department of Transportation. We have included a link in the Plan (see page 29).
- b) County Congestion Management Agencies (CMAs) will play a key role in convening local jurisdictions and stakeholder organizations during the SCS planning effort, on such issues as where new housing should be sited, how that new development can be integrated to encourage sustainable growth and development, and how transportation investments should be prioritized to encourage and support sustainable development.

The PPP has been amended to include guidelines for CMAs in conducting public meetings related to the SCS/RTP. (See Appendix A, page 53).

c) The Plan includes a more detailed description of the process, schedule and key milestones for the SCS/RTP planning effort, including the major technical and decision milestones and where the public will have the opportunity to get involved and help inform this work. See process charts pages 49-51.

Page 3 of the Plan articulates MTC's commitment to inform participants on how their participation (whether at public meetings or via other channels) has contributed to MTC's key decisions and actions. When outcomes don't correspond to the views expressed, every effort is made to explain why not. MTC will document what it hears from the public outreach effort.

MTC staff provides a summary of oral comments from public workshops on major planning initiatives so that the Commission can consider them prior to making decisions. When requested by a Commissioner, staff will provide responses to oral comments made at meetings for the Commission's consideration during its deliberations. Commissioners also may provide responses.

We will consider incorporating these ideas into a revised evaluation form.

	<u></u>
Fifth (b): Emphasize outcomes and evaluations. The questions outlined in the draft Plan to survey participants' satisfaction with their involvement in the planning process do not sufficiently take into account their opinions and feelings. We recommend adding the following questions: a) Do you feel your opinions were taken seriously? b) Do you think your needs were well understood? c) Do you think good-faith efforts were made to meet your transportation needs? d) What recommendations would you make to improve the public participation process for the next update of the RTP?	
35. Letter via e-mail: (Nicholas Dewar, MA MS, Public Policy Collaboration)Discuss the issues in community level terms and in the ways that people's lives will be changed.	Comment noted. See response to comment #7. Also, we have added language to provide appropriate public education materials (see page 2).
MTC must consider public education to be part of its PPP.	
 36. Letter via e-mail (Nicholas Dewar, MA MS, Public Policy Collaboration) Consider performance measures that track the quality of public comment. Use a system that reflects and records the full range of information provided by the public. 37. Letter via e-mail: (Nicholas Dewar, MA MS, Public Policy Collaboration Invite public to join some sort of conversation about the issues rather than just drop a comment in a box. 	Appendix A, which is the Draft PPP for the SCS planning effort, includes goals and benchmarks to measure the effectiveness of the public participation program. One measure is tied to participant satisfaction about the quality of discussion. In all its outreach efforts MTC will look for more opportunities to provide interaction among participants. We will take into account this comment in designing meetings and in
Tighten the feedback loop so participants can see what others are saying. This will help to develop their ideas about the issues and improve their contributions to the planning process.	considering new Web 2.0 applications. We also agree that one size does not fit all when conducting public participation in the Bay Area.
Realize the difference within Bay Area communities when conducting public participation.	
38. Letter via e-mail: (Nicholas Dewar, MA MS, Public Policy Collaboration) Use social media, and, more specifically, structured online dialogues, to communicate with the public. Provide opportunities to learn about perspective of those in other parts of the region.	MTC plans to increase the use of social media to reach a larger audience.
39. Joint Letter: from 50 Organizations or Individuals Representing Social Equity/Environmental Justice Issues	Chapter III of the Revised Draft PPP lists public participation techniques MTC uses to gather

Comment 1: Start with the Needs.

Federal law requires the Public Participation Plan to provide "explicit procedures, strategies, and desired outcomes for . . . seeking out and considering the needs of those traditionally under-served by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services."

The draft Plan appropriately describes the important role of needs in the process, calling the RTP the comprehensive blueprint for transportation investment that "identifies] how much money is available to address **critical transportation needs** and setting the policy on how projected revenues are to be spent."

Recommendation:

Include an early process for assessing the critical transportation needs of the region as a whole, and of low-income communities and communities of color in particular. Describe the needs assessment process and how needs will be prioritized. Describe how the Lifeline Report and the CBTPs will be used and updated in the process, and how the resulting identified critical needs will be used in later analysis and decision making.

input from the public, including techniques for involving low income communities, communities of color and LEP persons.

The Sustainable Communities Strategy is not an exercise that will start from scratch. Rather, the multi-year effort builds upon the foundation that was established from the current long-range regional transportation plan, Transportation 2035, Change in Motion, which was adopted in 2009.

The multi-agency initiative also incorporates the work of the FOCUS program — multi-agency effort of ABAG's and MTC's that asks local governments to indicate areas that are priorities for development and as well as areas that should remain undeveloped. This initiative was launched in 2007 and can serve as a model for further local land use discussions to achieve the goals of the SCS. Likewise, the SCS will be guided by the Bay Area Clean Air Plan adopted by the Bay Area Air Quality Management District on October 10. The SCS will be informed by results of efforts that you reference in low-income communities and communities of color (such as Community-based Transportation Plans) to identify needs and evaluate progress to address those needs (the "Snapshot" analysis). Other efforts that will inform this process include MTC's recently launched Transit Sustainability Project and the San Francisco Bay Conservation and Development Commission's work on sealevel rise.

40. Joint Letter: from 50 Organizations or Individuals Representing Social Equity/Environmental Justice Issues

Comment 2: Get Specific About Key Decision Points

Meaningful public participation means much more than outreach and providing opportunities for comment. It requires transparency about the nature and sequence of the decisions that will be made, and what is at stake in each decision. For even the simplest decision that MTC makes, the Brown Act requires it to give the public advance notice of the proposed decision in writing.

In the multi-year series of complex decisions that will culminate in the adoption of an RTP and SCS, and that will attempt to interweave the RTP with decisions of other regional and local bodies, transparency about the sequencing and nature of the intermediate decisions to be made is all the more essential. Without setting this

Just as there is a rich and varied array of Bay Area nonprofits and interest groups commenting on this Draft Public Participation Plan, so, too, are there myriad government agencies involved. The fact that our region consists of nine counties, 101 cities, dozens of transit operators means that there will be many parties and government jurisdictions that need to be involved.

The PPP describes the joint sponsorship by ABAG, MTC, BAAQMD and BCDC of OneBayArea as the "home" for one-stop information on how to engage in the Sustainable Communities Strategy. We are posting all meeting notices and materials there, sending out alerts to those who indicate they would like to subscribe to updates via email, posting video and audio archives there, etc. We will expand MTC's contact database, which currently includes more than 18,000 unique contacts, throughout the

context for participation, few will understand the need to participate, and those who do will have no basis for deciding at which points their participation will be worthwhile.

The draft Plan discusses a bewildering array of boards, committees, working groups, and advisory groups, but provides no clear sense of the role that each one will play in the development of alternatives, in commenting on those alternatives, and on selecting among those alternatives. The chart on page 48 of Appendix A, moreover, illustrates what appears to be a top-down "partnership" in which the input of citizen stakeholders feeds into Congestion Management Agencies, which in turn feed into local government "County/Corridor Dialogues," and so on up to the MTC and ABAG boards. The chart gives no indication of how participants can hope to be shape the decisions of MTC and ABAG, nor even what role they can hope to play in shaping the county CMA decisions. The draft Plan also mentions a host of "other key initiatives," including the FOCUS program and "MTC's recently launched Transit Sustainability Project," but provides no practical information as to how these initiatives relate to other key decision points or how they fit into the overall RTP/SCS process.

For each of these key decision points, the draft Plan should, at the very least, clearly describe its nature and importance, identify the decision maker and anticipated sequence and timing in the overall process, and describe the process that will be used in reaching that decision. Where multiple boards, committees and task forces will play a role in that process, the Plan should explain each group's role and how each will influence MTC's and ABAG's ultimate decisions, so that would-be participants can make an informed decision about which of the multitude of meetings to attend.

The draft Plan also must address the technical complexity and opacity inherent in the modeling processes that will be conducted. The Participation Plan must ensure that these complex decisions and layers of process are made transparent.

Recommendation:

Specify each key decision point in the process. For each key decision point, describe the nature and importance of the decision to be made (including how that decision will affect future decisions), identify the decision maker, describe the process that will be used in reaching that decision (including the role that various boards, committees and task forces will play in that process), and state the anticipated timeframe and sequencing for key

process.

The Revised Draft PPP includes a more detailed description of the process, schedule and key milestones for the SCS/RTP planning effort, including the major technical and decision milestones and where the public will have the opportunity to get involved and help inform this work.

The process charts (see Appendix A, pp. 49-51) in the Revised Draft PPP reflects the expected flow of decision making. However, the process will need to be flexible and subject to change, as needed, to reflect and respond to the input received as we move through the steps of developing the SCS. Any changes will be updated in the OneBayArea web site.

MTC and ABAG has and will continue to have briefings and technical workshops to describe the methodology and key assumptions of MTC's and ABAG's computer models. (See page 61)

decisions. Specify a plan for disseminating the methodology, results, and key assumptions of MTC's travel demand models in a transparent manner that will be useable and understandable to the public.

41. Joint Letter: from 50 Organizations or Individuals Representing Social Equity/Environmental Justice Issues

<u>Comment 3</u>: Ensure Transparency and Inclusiveness in the CMAs and the Partnership Board

If past practice holds true, some of the key RTP decision making will effectively be delegated by MTC to other bodies, particularly the county Congestion Management Agencies (CMAs). The draft Plan mentions the CMAs, but fails to explain the role that they will play. It does not discuss whether CMA decisions (such as project selection) will be made according to regional targets or criteria set by MTC (including targets relating to GHG reduction, cost-effectiveness or social equity), or whether and how MTC will review those decisions for their fairness and appropriateness and for how well they meet critical needs. Above all, it does not discuss how MTC will meet its obligation to certify that the regional planning process, including the decision making at the CMA level, will fully comport with federal civil rights protections

MTC must put a plan in place now that describes the decision making that will be conducted by the CMAs in connection with the RTP and SCS, explains how MTC will evaluate, review and/or adopt those decisions, and specifies how MTC will ensure that the process and decisions of the CMAs comply with the Civil Rights Act. It is especially important that the project recommendations of the CMAs be evaluated against alternatives and be ranked based on how well they meet prioritized needs.

The draft Plan...provides no specifics about what decisions or recommendations will be reached by such bodies via "consensus," how consensus will be defined, whether representatives of low-income and minority communities will play a role in reaching consensus, and the steps MTC will take to integrate those representatives into that consensus-forging process.

Recommendation:

Describe the decision making role that the CMAs will play in connection with the RTP and SCS, explain how MTC will evaluate, review and adopt CMA decisions, and specify how MTC will ensure that the process and decisions of the CMAs comply with the Civil Rights Act.

There are three primary ways that local jurisdictions, including county Congestion Management Agencies (CMAs) will be engaged in development of the Regional Transportation Plan and Sustainable Communities Strategy.

1. Executive Working Group and Regional Advisory Working Group

In a reflection of the expanded scope of the Sustainable Communities Strategy, MTC and ABAG have created a framework for joint involvement of local government partners and stakeholder interests that includes not only the range of transportation interests (county congestion management agencies, public works directors) and resource protection agencies, but also local planning and housing departments as well as city managers. Two advisory panels the SCS Executive Working Group and the Regional Advisory Working Group, or RAWG — will be the primary means for involving local jurisdictions in the development of the SCS. Both of these groups are advising staff of the regional agencies, serving as an important resource for early involvement. The RAWG, it is worth noting, includes the active participation of a range of stakeholder interests — environmental, business and social equity organizations, including a number of representation from many of the organizations who submitted comments via this letter. All signatories have been added to the distribution list.

See pages 54 and 57 for a description of the SCS Executive Working Group and RAWG.

2. County/Corridor Local Government Engagement

Because the success of the SCS hinges upon more closely integrating local land use decisions with regional goals for sustainability (including greenhouse gas reductions, affordable housing and transportation access and mobility), the hundreds of county supervisors and city councilmembers, along with key staff in those jurisdictions, need forums for dialogue and debate that are open to the public. Also see

Describe the role that the Partnership Board and other elite advisory groups will play in connection with the RTP and SCS, explain the process for reaching consensus, and provide for meaningful representation of low-income and minority voices in that process.

response to comment #24.

While no detailed schedule or process is available at this time, ABAG and MTC will require that CMAs, in conducting these meetings, to meet public participation standards. See page 53.

Advisory groups like the RAWG and MTC's Policy Advisory Council will have the opportunity to weigh in at key milestones every step of the way.

Ultimate decision-making on the RTP and SCS rest with the MTC and ABAG policy boards — all such decision milestones will be noticed for the public and all parties who are in the contact database.

3. The Bay Area Partnership Board

Described on pages 9-10 and page 37 of the Plan, the Bay Area Partnership Board and the Partnership Technical Advisory Committee (PTAC) will continue to advise MTC on transportation project/program and financing issues, such as the implications and trade-offs of prioritizing a certain type of transportation investment over another. Such meetings will be noticed and open to the public, including web audiocasting and posting of materials via the OneBayArea web site.

42. Joint Letter: from 50 Organizations or Individuals: Representing Social Equity/Environmental Justice Issues

Comment 4: Describe the Development of Policy and Investment Alternatives for each Key Decision Point.

In its Public Participation Plan, MTC must ensure that it will "provide the public with the information and tools necessary to provide a clear understanding of the issues and policy choices."

Understanding the policy choices — that is, the alternatives that are available at each key decision point — is critical to the public's participation in the decision making process. Indeed, a very significant part of the public participation process is the opportunity to have input into the development of, and selection among, policy alternatives. The draft Plan, however, is silent on the specific steps by which policy, land use and investment alternatives, and alternative scenarios, will be developed in the period leading up to each key decision point.

The revised draft includes more specifics about opportunities to participate in the development of policies, including the role of various advisory groups. The SCS will be developed based on a robust public dialogue, including all sources of opinion, with policy options and alternatives described for the public and for decision-makers.

See the revised process charts included on pages 49-51 of Appendix A.

Recommendation:

Describe explicitly the process by which alternatives will be developed and evaluated in connection with each key decision point. Specify which boards, committees and advisory groups will play a role in the development and selection among alternatives at each stage, and what the role of each will be.

43. Joint Letter: from 50 Organizations or Individuals: Representing Social Equity/Environmental Justice Issues

Comment 5: Evaluate the Equity Impacts of Each Alternative.

The analysis of equity impacts must be ongoing throughout the RTP process. Criteria and metrics for the evaluation of equity impacts must be developed in an open and transparent process. Ensure an adequate flow of information about the equity impacts of the alternatives at each decision point. Discontinue the practice of conducting a single RTP equity analysis after the RTP has been developed and shortly before it comes before the Commission for approval.

Recommendation:

Provide for an open and transparent public process in which criteria and metrics for evaluating the equity alternatives will be developed based on the expressed priority needs identified by under-served communities. Explain how MTC will utilize those criteria and metrics in evaluating the equity impacts of each alternative policy or investment alternative leading up to each key decision point, and provide for making those equity evaluations available to the public in a timely manner at each stage.

44. Joint Letter: from 50 Organizations or Individuals: Representing Social Equity/Environmental Justice Issues

<u>Comment 6</u>: Demonstrate Explicit Consideration of Input.

Explain transparently how the input given in each forum will be used in the RTP process. A log summarizing comments is not adequate in so complex a process; therefore, the log should include the reasons for the Commission's adoption or rejection of significant comments. The Plan also should provide opportunities for EJ participants to engage directly with Commissioners in their neighborhoods at convenient times.

Recommendation:

Describe how the public input from each of the varied

See revised process chart on page 49-51 of Appendix A.

We have added text (see page 47) in the Plan to describe three key milestones in the process where social equity will be considered.

MTC and ABAG will summarize comments from all public workshops as well as comments from the SCS Executive Working Group and Regional Advisory Working Group, and MTC's Policy Advisory Council. Comments will be analyzed and key messages and themes will be presented to decision-makers on policy boards at key milestones, prior to decisions being made. Staff will inform policy board members on how we arrived at a staff recommendation at key milestones, explaining divergent views and why we are recommending a certain course of action.

Participants will also be contacted after decisions have been made so they know the outcome, with an explanation of the rationale behind a decision.

MTC and ABAG will provide funding for

forums described in the Plan will be used in the development, evaluation and selection among alternatives at each key decision point. Provide specific opportunities for residents of low-income communities of color to meet with decision makers in their communities.

outreach assistance to groups who serve residents in low-income communities and communities of color. Decision-makers will be encouraged to attend meetings and hear directly from these residents as well as residents throughout the entire nine-county Bay Area.

45. Joint Letter: from 50 Organizations or Individuals Representing Social Equity/Environmental Justice Issues

The Plan includes specific information on public participation activities and opportunities for the public to get involved, along with expected outcomes (goals and performance measures) for public participation. See planning process charts (pages 49-51), Participation Techniques (beginning on page 60), and Public Participation Goals (beginning on page 63).

Comment 7: Get Specific about Outreach.

MTC will continue to engage low-income communities and communities of color through focused efforts in these communities.

The draft Plan does not meet federal requirements to include a specific program of outreach actions that will be taken, and does not describe the strategies to be used and desired outcomes. It is troubling that MTC, which controls the expenditure of billions of dollars, would make its entire public participation action plan contingent on the extent that funding allows.

Potential public participation actions should include:

- description of the action to be taken;
- the responsible parties;
- the desired outcomes; and
- the timeframe for action.

The Plan should target participation efforts on communities experiencing gentrification and displacement and suburban places experiencing growth in poverty.

Recommendation:

Include a program of specific actions for outreach to lowincome and minority participants, stating the responsible person(s) and timeframe, and specifying quantified objectives, performance measures and outcomes for each action.

46. Joint Letter: from 50 Organizations or Individuals Representing Social Equity/Environmental Justice Issues

Comment 8: Get Specific About Linguistic Access.

The Plan does not meet federally required LEP access standards. Neither the Plan nor the LEP policy commit to provide additional language assistance that ensure an inclusive process. The draft Plan does not state in what languages staff will conduct outreach, or how it will determine those language. Providing only Spanish and Chinese translation services is inadequate.

If the draft Pan and the LEP Plan will be incorporated, MTC should re-open the comment period for the LEP Plan.

The commitment that meetings are 100 percent

The Plan does commit to providing access to the process regardless of language proficiency. All meeting announcements — and the OneBayArea web site — will include instructions on how to request a language interpreter for meetings or translation of printed materials.

In addition, MTC and ABAG will provide funding to community-based organizations who are willing to assist in involving limited-English Proficient residents in the policy discussions. Meetings might be conducted in a language other than English or in multiple languages, tailored as needed to a given community.

Finally, the Revised Draft Public Participation Plan and MTC's recently adopted Plan for

linguistically accessible is "not meaningful unless MTC identifies the LEP communities that will be most impacted by the plans and then provides in advance and in an accessible language the context for the meetings and a mechanism to engage in the process leading up to the meetings."

The plan does not include performance measures that will gauge the effectiveness of the outreach.

Recommendation:

Assure meaningful opportunities to participate by Limited English Proficient populations based upon language needs of local communities. Identify the language needs of "communities of concern" where planning and investment decisions may have the greatest impacts. Provide additional assistance reflecting the language needs of the locality in which meetings, hearings, and outreach occurs.

Special Language Services to Limited-English Proficient Populations both include a commitment for tailored multi-lingual outreach and public participation when MTC seeks to involve Bay Area residents at the county level. We will work with community-based organizations to design a process that includes involvement of communities with limited-English proficiency. (Please see page 59.)

47. Joint Letter: from 50 Organizations or Individuals Representing Social Equity/Environmental Justice Issues

Comment 9: Learn from Past Mistakes.

The process of developing the Plan did not include any apparent review of the effectiveness of the prior Plan, nor did it include public participation as required by federal law.

Recommendation:

Conduct a review, with full public participation, of the effectiveness of outreach to, participation of, and influence in shaping MTC decisions by the public — including minority and low-income residents and their representatives — in the development and adoption of the 2009 RTP. Modify the draft Plan to reflect changes to ineffective provisions, address omissions, and build on identified strengths.

MTC did conduct an evaluation of its public participation process for the recently adopted Transportation 2035 Plan: Change in Motion in spring and summer of 2009. This included interviews of MTC advisory committee members and Commissioners and review of meeting evaluations and other data to make a set of recommendations to MTC to improve future efforts. That material can be found on MTC's web site at this link:

(www.mtc.ca.gov/planning/2035_plan/index.htm)

Recommendations from that evaluation that we have moved forward to implement include creation of a new multi-interest Policy Advisory Council, greater collaboration with partner agencies (for example, the launch of the OneBayArea.org web site to spotlight joint efforts among regional agencies and local governments), increased use of social media (including launch of the GovDelivery service that enables members of the public to easily track updates to MTC's web site, an electronic newsletter, and a new MTC presence on facebook, twitter and other social media outlets).

This Plan also builds upon the extensive public outreach and consultation done by MTC in 2007 when developing the current Public Participation Plan (when staff conducted focus groups with a range of stakeholders, including focus groups representing low-income communities and communities of color, labor, business, public participation practitioners, Native American

	Tribes, and environmental protection agency staff).
	We also reviewed the Draft Plan with the Regional Advisory Working Group, MTC's Policy Advisory Council, and the Bay Area Partnership's Technical Advisory Committee.
48. Letter: (Gen Fujioka, Senior Policy Advocate, National CAPACD; Shawn Lee, Attorney, Asian Law Alliance; Lillian Galedo, Executive Director, Filipino Advocates for Justice; Terry Valen, Executive Director, Filipino Community Center) Recommendation #1: MTC should amend its PPP and LEP to clarify that the suggested LEP public participation and outreach techniques are mandatory in nature or that use of some combination of the suggested techniques are mandatory.	MTC's Plan for Special Language Services to Limited English Proficient (LEP) Populations was adopted by the Commission on Sept. 22, 2010. It commits MTC to translation of vital documents – including certain news releases, brochures, fact sheets and portions of the long-range regional transportation plan – into Spanish and Chinese. Documents will be translated into other languages upon request. Additionally, when county-based public participation activities are undertaken, the LEP Plan commits that we tailor those activities to reflect the unique LEP population in each county.
49. Letter: Gen Fujioka, Senior Policy Advocate, National CAPACD; Shawn Lee, Attorney, Asian Law Alliance; Lillian Galedo, Executive Director, Filipino Advocates for Justice; Terry Valen, Executive Director, Filipino Community Center) Recommendation #2: MTC should amend its PPP to clarify that interpretation at meetings upon request applies to all services and programs covered under the PPP, not just the public participation involving the SCS.	The LEP component for interpretation at meetings applies to all services and programs covered under this Plan.
50. <u>Letter:</u> (Gen Fujioka, Senior Policy Advocate, National CAPACD; Shawn Lee, Attorney, Asian Law Alliance; Lillian Galedo, Executive Director, Filipino Advocates for Justice; Terry Valen, Executive Director, Filipino Community Center)	MTC's LEP Plan commits MTC to tailor county-based public participation activities to reflect the unique LEP population in each county.
Recommendation #3: MTC should amend its LEP Plan and PPP to mandate translation of documents vital to is programs and services at least into Vietnamese and Tagalog in addition to Spanish and Chinese. This is particularly true of vital documents and notices pertaining to the RTP and Sustainable Community Strategy.	MTC has budgeted to account for costs associated with translation services that may be needed in county-level outreach, such as for the SCS planning effort.
CAPACD also suggests that MTC allocate the appropriate resources to language translation since the current LEP plan states that the cost of providing multiple language translation isn't currently funded.	
51. Letter: (Gen Fujioka, Senior Policy Advocate, National CAPACD; Shawn Lee, Attorney, Asian Law	See response to comment #50.

Alliance; Lillian Galedo, Executive Director, Filipino Advocates for Justice; Terry Valen, Executive Director, Filipino Community Center) Recommendation #4: MTC should conduct a four factor analysis to asses whether it must require mandatory translation into Korean.	
52. Letter: (Gen Fujioka, Senior Policy Advocate, National CAPACD; Shawn Lee, Attorney, Asian Law Alliance; Lillian Galedo, Executive Director, Filipino Advocates for Justice; Terry Valen, Executive Director, Filipino Community Center)	See response to comment #50.
Recommendation #5: MTC should amend its LEP Plan and PPP to mandate affirmative identification and outreach of LEP communities of concern impacted by MTC's programs and services. MTC should mandate that such outreach is conducted in languages understood by these communities.	
53. Letter: (Gen Fujioka, Senior Policy Advocate, National CAPACD; Shawn Lee, Attorney, Asian Law Alliance; Lillian Galedo, Executive Director, Filipino Advocates for Justice; Terry Valen, Executive Director, Filipino Community Center) Recommendation #6: When such advocate groups exist, MTC should prioritize LEP outreach techniques that engage community based advocates who have a track record of working with and engaging LEP persons within that particular community.	When MTC looks to partner with community-based organizations, we will consider organizations with a track record of working with and engaging LEP persons within a particular community.
54. Email comment: (Bernardo Huerta, East Palo Alto Public Works and Transportation Commission Chair, East Palo Alto Planning Commission, One East Palo Alto Neighborhood Initiative, Nuestra Casa, bnaudnaud@aol.com)	MTC and ABAG will encourage local jurisdictions to reach out to individuals sitting on city/county advisory boards and commissions.
There should be greater involvement with all local government transportation boards and staff, including public works and engineering staff. I serve on a board and have to remind members about MTC and describe your projects. Send information to city staff for distribution to committees, or email to members directly. Messages should be to-the-point summaries as many will not check website for more detailed info.	
55. Oral comment at July 28, 2010 Commission meeting: (Duane DeWitt)I commented on the last PPP three years ago, I got one notice in the mail. I did not receive any notice for this	The Draft PPP notes the importance of notifying the public via the Internet as well as through the U.S. Mail. From time to time, in coordination with local agencies, we will explore additional

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draft, I found out about myself because I came to the MTC library. I have not seen any newspaper notices. Reach out to the public and actually put up some posters. Do the old-fashioned way of "spread the word" to involve the public and then actually have the public's voice be heard.	modes of communication.
56. MTC Policy Advisory Council, July 14, 2010 —	
Carlos Castellanos Keep away from one-time, one-shot outreach efforts when reaching out to communities. He encourages MTC to find a way to have pre-meetings with a community to show them the impact on their lives of these topics /issues. With only one meeting we may not get the attendance or feedback that we really need. Supports the idea of working with community-based organizations.	Comment noted. MTC and ABAG will build upon ongoing relationships with community-based organizations, and create new ones, in order to have a sustained dialogue with a range of participants. See Appendix A, page 47 of the Plan.
57. MTC Policy Advisory Council, July 14, 2010 — Marshall Loring	Comment noted. Representatives from ABAG
Encourages MTC to have a speakers' bureau available that can send speakers out to local groups. Make them available for multiple times, not just one shot meetings.	and MTC and the Joint Policy Committee have made numerous presentations on the SCS and related activities. (See page 18 in the Plan.)
It will be important to get out to communities and not expect communities to come in to the middle of Oakland for meetings.	
58. MTC Policy Advisory Council, July 14, 2010 —	
Wil Din CBOs are familiar with many topics but may not be as familiar with transportation issues. It's a bigger picture than local bus issues and it's hard to get them to get involved in what they consider more conceptual and long-term. Too often they are living day to day or month to month. He suggests tapping advisors to go along to meetings with CBOs to help explain to them the importance of following transportation issues.	Based on your suggestion, the Plan calls for development of a "tool kit" for advisors and others to use in reaching out to and involving individuals and organizations. We will build upon the work of partner agencies (such as through Community-Based Transportation Planning efforts) to help publicize comment opportunities and build general awareness for the development of the SCS. (See page 60.)
It may be to our advantage to check about using the contact groups BART has identified in its counties.	
59. MTC Policy Advisory Council, July 14, 2010 — Randi Kinman	See response to comment # 58.
She would like to see an "ambassador tool kit." We as advisors are ambassadors to our community. She has found that such tool kits work very well. Any packet of information that she can take out to groups is useful and helps her to start generating the next tier of communication. And we can all be consistent in the message we are taking to our communities. 60. MTC Policy Advisory Council, July 14, 2010 —	

Cathleen Baker	See response to comment # 58.
Suggests we tap databases and stakeholder lists from previous CBTP efforts.	
61. SCS Regional Advisory Working Group, July 6, 2010	The "tool kit" mentioned in the response to comment #58 also will be designed for use by
From local government perspective, in order to get effective local government participation you need to do two things: 1) need to come to the local governments vs. them coming to you; and 2) need to provide tools to help local government staff to prepare elected officials. The	local government staff to inform elected officials on key issues related to the SCS planning effort.
more prepared local government folks are the better.	
One of the challenges is that this is a totally new process for everyone; over 100 NGOs in the region want to participate in this process. The challenge is to make the participation really effective, which will be very difficult	There are a number of NGOs participating in the SCS Regional Advisory Working Group, which is the forum designed to encourage dialogue among stakeholders.
considering all the levels that must be addressed. Building relationships must be a high priority.	In addition, to leverage limited dollars, we are partnering on SCS outreach with the Silicon Valley Community Foundation and other non-
Find a way to support conversations among NGOs about key topics.	profit groups, including Greenbelt Alliance, through a process called Envision Bay Area. (See
Leverage the limited amount of dollars that go into citizen participation available to regional agencies with outreach to foundations — a more coordinated approach, having a regionwide NGO process that is supported by the JPC will help us build the bridges with local government.	page 60.) MTC and ABAG have applied for additional federal and state funding to help with public participation and involve community based organizations in a more comprehensive way.
63. SCS Regional Advisory Working Group, July 6, 2010	
Request that RAWG be kept fully abreast of the public opinion poll, with opportunities to comment on draft questions.	Comment noted.
64. SCS Regional Advisory Working Group, July 6, 2010	Comment noted. To engage the public we must explain why this is important to their everyday
This process is unlike anything we have ever had before. You have two jobs in this: 1) engage interest in members of the public and organizations and inform decisions (the typical engagement process); and 2) expand the pool of people who understand that they should care about this and want to participate in this process. You need to forget about the regional planning process and recognize that	lives.
you are engaged in changing the lives of people in the Bay Area at the lowest level of their community — the street-level, their neighborhood. You need to create a narrative about what is happening through the planning process and how it will play out within the region and	

every level throughout the region. Use that story line to	
build interest, in engaging with media, through the Web	
site, social networks, etc. Come up with reasons why it is	
important. Why should people care?	
65. SCS Regional Advisory Working Group, July 6,	
2010	See SCS process charts pages 49-51. Also, see
	response to comment # 40 and 41.
Should add 1) an assurance that public input will be taken	
into consideration at the beginning, rather than at the end;	
2) understand the scenario alternatives and how to	
actually influence those alternatives; 3) understanding	
how to influence the objective criteria by which to	
evaluate those scenarios; 4) transparency about the	
modeling and data; and 5) accountability that when public	
comment is given they actually impact the decisions.	
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66. SCS Regional Advisory Working Group, July 6,	
2010	We agree it is important to identity key decision
	points throughout the planning process. Public
In the public process, define what the public can influence	participation will be designed around key policy
— there are certain things in this process that are limited	questions that are on the table for discussion. See
by the modeling, etc. — whatever the assumptions are	process chart, Appendix A, pages 49-51.
that are steadfast and not changeable, they should be	
revealed to the public. It's hard to know what a variable is	
and what isn't. Knowing what the public has influence	
over is important.	
67. SCS Regional Advisory Working Group, July 6,	
2010	See response to comment # 56.
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Both local governments and community groups need	
early outreach to effectively participate in the SCS	
planning effort. Make sure that when there is a meeting in	
the communities, the meetings are not just "one and run"	
type meetings. To ensure meaningful participation, invest in NGOs in a way that they can work with their	
in NGOs in a way that they can work with their	
communities early on so that they can prepare them on the issues, so that when they step into the one meeting	
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there can be meaningful engagement. A lot of education can be done through the NGOs. This will build a longer-	
term infrastructure to support this kind of engagement.	
term infrastructure to support this kind of engagement.	
68. SCS Regional Advisory Working Group, July 6,	
2010	See response to comment #23.
Add some metric regarding the interactive nature of the	
process; acknowledge how you are using the	
correspondence. If there is a way of indicating how	
people are participating, i.e. how does this matter to them,	
what they are going to do to change behavior, how is this	
going to affect implementation, etc.	Page 21

Use social media, you can reach more people.	
69. SCS Regional Advisory Working Group, July 6, 2010 Likes the idea of narratives, it should have a regional element, but also a local element in each county or corridor that is based on existing adopted plans and policies.	Comment noted.